

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM BERNARD BIRD,

Defendant.

CR-20-31-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on July 31, 2023. (Doc. 106.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on July 27, 2023. (Doc. 101) The United States accused William Bird, (Bird) of violating his conditions of supervised release 1) by consuming alcohol; 2) by using cocaine; 3) by failing to notify his probation officer of a change in employment; 4) by failing to notify his probation officer of a contact with law enforcement; 5) by failing to reside at the

residence approved by his probation officer; 6) by knowingly associating with a convicted felon; and 7) by failing to report for substance abuse testing. (Doc. 98.)

At the revocation hearing, Bird admitted to 1) by consuming alcohol; 2) by using cocaine; 3) by failing to notify his probation officer of a change in employment; 4) by failing to notify his probation officer of a contact with law enforcement; 5) by failing to reside at the residence approved by his probation officer; 6) by failing to report for substance abuse testing. (Doc. 101.) Judge Johnston found that the violations Bird admitted prove serious and warrants revocation of his supervised release and recommends a sentence of 3 months, with no supervised release to follow. (Doc. 106.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 106) are **ADOPTED IN FULL**. **IT IS FURTHER ORDERED** that Defendant William Bernard Bird be sentenced to the Bureau of Prison for a period of 3 months, with no supervised release to follow.

DATED this 2nd day of August, 2023.



Brian Morris, Chief District Judge
United States District Court